



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

May 26, 2015

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m. in the Council Chambers.

Council Members Present:

Debbie Goettel, Mayor; Michael Howard; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present:

Steven L. Devich, City Manager; Jay Henthorne, Public Safety Director/Police Chief; Karen Barton, Assistant Community Development Director; Chris Regis, Finance Manager; Pam Dmytrenko, Assistant City Manager/HR Manager; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

OPEN FORUM

None.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Fitzhenry, S/Elliott to approve the minutes of the (1) Special City Council Worksession of May 12, 2015; (2) Special Concurrent City Council & HRA Worksession of May 12, 2015; and (3) Regular City Council Meeting of May 12, 2015.

Motion carried 5-0.

Item #1	CHOIR CONCERT PRESENTED BY THE COMBINED STEM/RDLS FIFTH GRADERS
Item #2	PRESENTATION AND RECEIPT OF THE CITY OF RICHFIELD COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED DECEMBER 31, 2014 S.R. NO. 78

Matthew Mayer, representative of the City's audit firm KDV, reviewed the 2014 Audit and 2014 Comprehensive Annual Financial Report.

M/Goettel, S/Fitzhenry to approve receipt of the City of Richfield Comprehensive Annual Financial Report for fiscal year ended December 31, 2014.

Motion carried 5-0.

Item #3	ANNUAL MEETING WITH THE ADVISORY BOARD OF HEALTH
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Erin Rykken, Advisory Board of Health Chair, provided the report.

Item #4	PRESENTATION OF THE 2014 FOOD SAFETY AWARDS (COUNCIL MEMO NO. 36)
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Erin Rykken, Advisory Board of Health Chair, presented the awards to:

Full Service Restaurant	Cadao Express, 6637 Penn Avenue
Fast Food/Pizza Carry Out/Cafeteria	Taco Bell, 7740 2 nd Avenue

Item #5	PRESENTATION OF THE RICHFIELD TOURISM PROMOTION BOARD, INC. FINANCIAL REPORT FOR YEAR-END DECEMBER 31, 2014 AND 2013
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Pat Brekken, Richfield Tourism Board Promotion Board, Inc., presented the report.

M/Goettel, S/Fitzhenry to accept the Richfield Tourism Promotion Board, Inc. financial report for year-end December 31, 2014 and 2013.

Motion carried 5-0.

Item #6	PRESENTATION OF THE ASSOCIATION OF PUBLIC MANAGEMENT PROFESSIONALS ASSISTANT OF THE YEAR AWARD TO RICHFIELD ASSISTANT CITY MANAGER/HR MANAGER PAM DMYTRENKO
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Mayor Goettel acknowledged the presentation of the award.

Item #7	COUNCIL DISCUSSION <ul style="list-style-type: none"> • Cancel Tuesday, August 25 Regular City Council Meeting • Schedule Monday, August 24 Special City Council Meeting regarding 2015 Revised/2016 Proposed Budget • Hats Off to Hometown Hits
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Council Member Fitzhenry reported on a recent press release: FAA to Re-Evaluate Method for Measuring Effects of Aircraft Noise.

The City Council consensus was to cancel the Tuesday, August 25 Regular City Council Meeting and schedule the Monday, August 24 Special City Council Meeting.

Council Member Garcia acknowledged the recent death of Don Priebe, long-time Richfield resident and former Richfield Mayor and Council Member.

Council Member Garcia made several announcements related to upcoming Richfield events.

Council Member Fitzhenry acknowledged two police unions for funding the engraving of Fred Babcock's name on the tablet at the Honoring All Veterans Memorial.

Item #8	COUNCIL APPROVAL OF AGENDA
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M/Fitzhenry, S/Howard to approve the agenda.

Motion carried 5-0.

Item #9	CONSENT CALENDAR
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- A. Consideration of the approval of a resolution authorizing the City to affirm the monetary limits on statutory municipality tort liability S.R. No. 79

RESOLUTION NO. 11086

RESOLUTION AFFIRMING MUNICIPAL TORT LIABILITY LIMITS
ESTABLISHED BY MINNESOTA STATUTES 466.04

This resolution appears as Resolution No. 11086.

- B. Consideration of the approval of a public hearing to be held on June 23, 2015 for the consideration of the issuance of new on-sale intoxicating liquor and Sunday licenses for GM Richfield, LLC, d/b/a Four Points by Sheraton Minneapolis Airport located at 7745 Lyndale Avenue South S.R. No. 80

M/Fitzhenry, S/Howard to approve the Consent Calendar.

Motion carried 5-0.

Item #10	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #11	PUBLIC HEARING FOR THE CONSIDERATION OF THE ISSUANCE OF NEW ON-SALE INTOXICATING AND SUNDAY LICENSES FOR THOMPSON'S FIRESIDE PIZZA, INC. D/B/A FIRESIDE PIZZA LOCATED AT 6736 PENN AVENUE SOUTH S.R. NO. 81
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Council Member Elliott presented Staff Report No. 81.

M/Elliott, S/Goettel to close the public hearing.

Motion carried 5-0.

M/Elliott, S/Fitzhenry to approve the issuance of new on-sale intoxicating and Sunday licenses for Thompson's Fireside Pizza, Inc. d/b/a Fireside Pizza located at 6736 Penn Avenue South.

Motion carried 5-0.

Item #12	CONSIDERATION OF A RESOLUTION REGARDING A REQUEST FOR A SIX-MONTH EXTENSION OF LAND USE APPROVALS FOR 6330, 6400 AND 6440 LYNDALE AVENUE (LYNDALE GARDENS) S.R. NO. 82
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Council Member Garcia presented Staff Report No. 82.

Colleen Carey, The Cornerstone Group developer, explained there are no funding tools yet available for financing affordable and market rate housing combined in a single development. She requested the scope of the Lyndale Gardens project be changed to include only market rate housing. She added that an investor is now available for market rate housing financing and requested an extension of the land use approvals.

Ms. Carey continued that Cornerstone is also requesting the City Council to authorize staff to request an amendment to the Metropolitan Council Livable Communities Transportation Oriented Development Grant to no longer include affordable housing.

Gregg Handrich, Principal of FIDES Capital Partners, discussed their company's desire and willingness to invest in this project if it is 100% market-rate.

Ms. Carey explained the construction timeline of separating the housing and retail and a closing by November 2015. The retail would not move forward at this time since there is no tenant.

Assistant Community Development Director Barton stated that if the extension is approved, as long as the project in its entirety has substantial completion by December 10, 2015, the retail component would have no bearing independently. If the substantial completion requirement is met, land use approvals would remain open as long as progress continued to be made toward completion of the project.

Council Member Elliott stated that the previous extension was approved based upon substantial completion and it did not happen so he said he would not vote for the extension.

Council Member Garcia expressed disappointment that there would no longer be affordable housing included in the project because it is an important part of public policy. She said she would approve the land use extension tonight but probably not again.

Council Member Howard stated affordable housing was a noble part of the project but the project does merit value in the future so he would support moving forward.

Ms. Barton stated that if the extension is not approved tonight, the developer would need to reapply for land-use approvals for the project.

Council Member Fitzhenry stated the City is seeking younger people with disposable incomes so he was not unhappy with the loss of the affordable housing component. He added he would support the extension but not again.

Mayor Goettel shared the perspective on the affordable housing component. She stated this may be the last time for this project to come before the City Council requesting an extension.

Council Member Elliott questioned if the Metropolitan Council would require repayment of the grant with the removal of affordable housing from the project.

Ms. Barton explained the Metropolitan Council would not commit until the grant amendment was received from the City, but did not believe repayment would be required based on statements made by Met Council representatives at a previous City Council meeting.

City Attorney Tietjen requested the City Council motion include a recommendation that would be contingent upon staff's definition of substantial completion.

M/Garcia, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes and include that it is contingent upon staff's definition of substantial completion:

RESOLUTION NO. 11087

RESOLUTION GRANTING EXTENSION OF LAND USE APPROVALS
AT 6330, 6400 AND 6440 LYNDAL AVENUE

Motion carried 4-1. (Elliott oppose) This resolution appears as Resolution No. 11087.

Item #13	CONSIDERATION OF A METROPOLITAN COUNCIL LIVABLE COMMUNITIES TRANSPORTATION ORIENTED DEVELOPMENT GRANT AMENDMENT REQUEST RELATING TO THE LYNDAL GARDENS PROJECT S.R. NO. 83
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Council Member Howard presented Staff Report No. 83.

M/Howard, S/Goettel to approve the Metropolitan Council Livable Communities Transportation Oriented Development grant amendment request related to the Lyndal Gardens Project.

Motion carried 4-1. (Elliott oppose)

Item #14	CITY MANAGER'S REPORT
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None.

The Mayor requested a meeting be scheduled regarding a mid-year review of the City Council goals.

Item #15	CLAIMS AND PAYROLLS
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M/Fitzhenry, S/Garcia that the following claims and payrolls be approved:

U.S. Bank		05/26/15
A/P Checks: 240780-241148	\$	1,051,919.80
Payroll: 110248-110570 42432-42433	\$	601,660.00
TOTAL	\$	1,653,579.80

Motion carried 5-0.

OPEN FORUM

None.

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ADJOURNMENT

The City Council Meeting was adjourned by unanimous consent at 8:36 p.m.

Date Approved: June 9, 2015

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager